

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**MATTHEW N. BATTLES,**

**Defendant.**

**8:07CR337**

**ORDER**

This matter is before the court on the defendant's request for copies of his criminal docket sheet and plea agreement documents (Filing No. 80). The defendant requests a waiver of fees associated with the costs of preparing and making copies. The defendant was sentenced, after which a judgment entered on September 9, 2008. The court entered judgment related to revocation of the defendant's supervised release on September 15, 2013. At this time, the defendant has no motions or cases pending before this court, and defendant makes no showing as to why he needs these transcripts. The defendant does not indicate he intends to file any substantive motion. Accordingly, the court is not inclined to order transcripts be prepared and copies of documents made at government expense without a pending appeal or some showing of need for the documents. **See** 28 U.S.C. § 753(f); **see also** *Chapman v. United States*, 55 F.3d 390, 390-91 (8th Cir. 1995) (stating any request for a free transcript prior to the filing of a 28 U.S.C. § 2255 motion is premature). The defendant may, of course, pay the costs of preparing the transcripts and making copies of the filings.

**IT IS ORDERED:**

The defendant's request for copies (Filing No. 80) is denied.

Dated this 7th day of April, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge